

REMARKS

Claims 22 to 58 are currently pending in the subject application. Applicants have hereinabove canceled claims 32 through 58 without prejudice or disclaimer to applicants' right to pursue the subject matter of these claims in the future. Accordingly, after entry of this Amendment, claims 22 to 31 will be pending and under examination.

Restriction Requirement

In the March 8, 2005 Office Action the Examiner required restriction under 35 U.S.C. 121 to one of the two following allegedly patentably distinct inventions:

- I. Claims 21-44, drawn to a method of killing and detecting normal and cancerous prostate cells comprising providing a biological agent which binds to an outer membrane domain of prostate, wherein contacting is carried out in a living mammal comprising administering the biological agent to the mammal, classified in class 424, subclass 9.1 and 130.1, and
- II. Claims 45-58, drawn to an isolated biological agent, which bind to an outer membrane domain of prostate specific membrane antigen and a hybridoma cell line, classified in class 530, subclass 350 and 387.1.

In response, applicants elect Examiner's Claim Group I, i.e. claims 21-31 in light of applicants' cancellation without prejudice of claims 32 to 58 hereinabove.

Species

Additionally, in the March 8, 2005 Office Action the Examiner required election of one of the following allegedly patentably distinct species of the claimed invention for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held allowable.

- A. Antibody, ligand;
- B. Drug, toxin, radioactive substance, chemotherapeutic, enzyme, and molecules of fungal, bacterial and viral origin; and
- C. Fluorescent label, radioactive label, immunohistochemical probe.

In response, applicants elect Examiner's species A, i.e. antibody, ligand. However, applicants note that this species naturally encompasses conjugates of the antibody, for example antibody conjugates of a drug or toxin as recited in species B.

Applicants: Ron S. Israeli, et al.
Serial No.: 10/751,346
Filed: January 2, 2004
Page 7

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants would like to direct the Examiner's attention to the following disclosure which is listed on the attached Form PTO-1449 (**EXHIBIT A**). A copy of the disclosures listed below as items 7-19 are attached hereto as **EXHIBITS 1-13**:

1. U.S. Patent No. 5,855,866 issued January 5, 1999 to Thorpe et al.;
2. U.S. Patent No. 6,051,230 issued April 18, 2000 to Thorpe et al.;
3. Bander, et al., U.S. Patent Application Publication No. 2004/0213791, published October 28, 2004;
4. Bander, et al., U.S. Patent Application Publication No. 2004/0120958, published June 24, 2004;
5. Thorpe, et al., U.S. Patent Application Publication No. 2002/0037289, published March 28, 2002;
6. Thorpe, et al., U.S. Patent Application Publication No. 2003/0185832, published October 2, 2003;

Applicants: Ron S. Israeli, et al.

Serial No.: 10/751,346

Filed: January 2, 2004

Page 8

7. European Patent Application No. EP 1 306 095, published May 2, 2003 (**EXHIBIT 1**);
8. PCT International Publication No. WO 93/17715, published September 16, 1993 (**EXHIBIT 2**);
9. PCT International Publication No. WO 95/04548, published February 16, 1995 (**EXHIBIT 3**);
10. PCT International Publication No. WO 97/48409, published December 24, 1997 (**EXHIBIT 4**);
11. PCT International Publication No. WO 98/03873, published January 29, 1998 (**EXHIBIT 5**);
12. PCT International Publication No. WO 98/53812, published December 3, 1998 (**EXHIBIT 6**);
13. PCT International Publication No. WO 00/01668, published January 13, 2000 (**EXHIBIT 7**);
14. PCT International Publication No. WO 00/38785, published July 6, 2000 (**EXHIBIT 8**);
15. PCT International Publication No. WO 01/009192, published February 8, 2001 (**EXHIBIT 9**);
16. PCT International Publication No. WO 03/064606, published August 7, 2003 (**EXHIBIT 10**);
17. PCT International Publication No. WO 2004/098535, published November 18, 2004 (**EXHIBIT 11**);

Applicants: Ron S. Israeli, et al.
Serial No.: 10/751,346
Filed: January 2, 2004
Page 9

18. Communication Pursuant To Article 96(2) EPC issued February 8, 2005 in connection with related European Patent Application No. 94 90 0538.3 (**EXHIBIT 12**); and
19. Communication Pursuant To Article 115(2) EPC issued March 17, 2005 in connection with related European Patent Application No. 94 90 0538.3 (**EXHIBIT 13**).

As permitted by 37 C.F.R. 1.98(a)(2), copies of U.S. Patents and Patent Application Publications listed as items 1-6 are not provided herewith.

This Second Supplemental Information Disclosure Statement supplements the Information Disclosure Statements Previously filed by applicants on June 14, 2004 and December 14, 2004 in connection with the above-identified application.

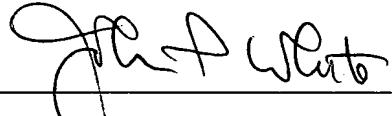
This Second Supplemental Information Disclosure Statement is being submitted under 37 C.F.R. 1.97(b)(3) and no fee is deemed necessary.

Applicants: Ron S. Israeli, et al.
Serial No.: 10/751,346
Filed: January 2, 2004
Page 10

If a telephone conference would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

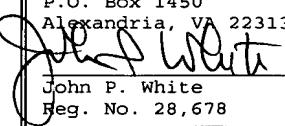
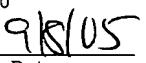
No fee, other than the \$1080.00 fee for a Five Month Extension of Time, is deemed necessary in connection with the filing of this Amendment and Second Supplemental Information Disclosure Statement. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White
Registration No. 28,678
Attorney for Applicants
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

John P. White	Date
Reg. No. 28,678	